

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
Civil Action No. 3:20-cv-211

JUDICIAL WATCH, INC., )  
)  
Plaintiff, )  
v. )  
)  
NORTH CAROLINA; THE NORTH )  
CAROLINA STATE BOARD OF )  
ELECTIONS; KAREN BRINSON BELL, in )  
her capacity as Executive Director of the )  
North Carolina State Board of Elections; THE )  
MECKLENBURG COUNTY BOARD OF )  
ELECTIONS; MICHAEL G. DICKERSON, )  
in his official capacity as the Director of )  
Elections for Mecklenburg County; CAROL )  
HILL WILLIAMS, in her capacity as the )  
Chair of the Mecklenburg County Board of )  
Elections; THE GUILFORD COUNTY )  
BOARD OF ELECTIONS; CHARLIE )  
COLLICUTT, in his official capacity as )  
Director of Elections for Guildford County; )  
and HORACE KIMEL, JR., in his capacity as )  
Chair of the Guilford County Board of )  
Elections, )  
)  
Defendants. )

**MOTION FOR EXTENSION  
OF TIME TO FILE ANSWER  
OR OTHERWISE PLEAD**

NOW COME Defendants the State of North Carolina, the North Carolina State Board of Elections, and Karen Brinson Bell, in her official capacity as Executive Director of the North Carolina State Board of Elections (collectively, the “State Defendants”), pursuant to Rule 6(b) of the Federal Rules of Civil Procedure and Local Civil Rule 7.1, and move this Court for an order to extend time to file an answer or otherwise plead in the above-titled action by thirty (30) days, up to and including June 4, 2020.

In support of this Motion, the State Defendants show the following:

1. The State Defendants received papers purporting to serve a summons and complaint in the above-captioned action on April 14, 2020. The State Defendants do not admit that they have been properly served and do not waive any objection to improper service of process or lack of personal jurisdiction.

2. Assuming, without admitting, that the State Defendants were properly served, the deadline to respond to the complaint would currently be May 5, 2020. Counsel for the State Defendants requests an extension of 30 days to thoroughly investigate and respond to the allegations made in the complaint.

3. The mitigation measures required by the COVID-19 pandemic have strained counsel's ability respond to the complaint within the 21 days provided by the Federal Rules of Civil Procedure. Counsel is teleworking from home and, with his attorney spouse, is caring for his toddler during the workday due to the closure of their daycare facility.

4. Counsel also has a number of other preexisting work commitments occurring during the time period provided for the response deadline:

a. Preparing an initial responsive pleading in *Advance North Carolina v. State of North Carolina*, No. 20 CVS 2965 (Wake Cty. Super. Ct.);

b. Preparing written and documentary discovery in *Community Success Initiative v. Moore*, No. 19 CVS 15941 (Wake Cty. Super. Ct.);

c. Preparing and serving documentary discovery in *Holmes v. Moore*, No. 18 CVS 15292 (Wake Cty. Super. Ct.);

d. Preparing and filing a responsive pleading in *Turner v. N.C. State Bd. of Elections*, No. 20 BOE 1394 (N.C. Office of Admin. Hearings);

e. Preparing written discovery in *N.C. Conf. of NAACP v. Cooper*, No. 1:18-cv-01034 (M.D.N.C.); and

f. Likely preparing a responsive pleading in *N.C. Conf. of NAACP v. N.C. State Bd. of Elections*, No. \_\_ (Wake Cty. Super. Ct.), which has been filed but not yet served (to counsel's knowledge).

5. For these reasons, an additional 30 days to respond to the Complaint would permit counsel for the State Defendants to adequately investigate and respond to the allegations made in the complaint while addressing other work and family obligations.

THEREFORE, Defendants respectfully request the Court for an order extending the time for the State Defendants to file an answer or otherwise plead up to and including June 4, 2020.

This the 20th day of April, 2020.

JOSHUA H. STEIN  
Attorney General

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